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Practitioner's Docket No. 791\_056 DIV

PATENT

## NEW APPLICATION TRANSMITTAL

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to **Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231** on February 8, 2002 under "EXPRESS MAIL" mailing label number **EL872579422US**.

*Elizabeth A. VanAntwerp*  
Elizabeth A. VanAntwerp

Box Patent Application  
Assistant Commissioner for Patents  
Washington D.C. 20231

Transmitted herewith for filing is the patent application of:

Inventor 1: Hiroshi NEMOTO  
Address: 126-401, Myoen-Cho, Minami-Ku  
Nagoya-City, Aichi-Prefecture 457-0022  
Japan

Inventor 2: Michio TAKAHASHI  
Address: 2-201, 1-34-1, Gonsui-Cho, Mizuho-Ku  
Nagoya-City, Aichi-Prefecture 467-0059  
Japan

Inventor 3: Kenshin KITOH  
Address: 1-111, 4-11, Hosone  
Narumi-Cho, Midori-Ku  
Nagoya-City, Aichi-Prefecture 458-0827  
Japan

**TITLE: LITHIUM SECONDARY BATTERY****1. Type of Application**

This is a request for filing a *DIVISIONAL APPLICATION* under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 09/348,530, Prior Art Unit: 1745  
Filed: July 7, 1999, Prior Examiner: Alejandro, R.  
Title: LITHIUM SECONDARY BATTERY  
Inventors: Hiroshi NEMOTO, Michio TAKAHASHI and Kenshin KITOH.

**2. Papers Enclosed****A. Required for filing date under 37 CFR 1.53(b) (Regular) are:**

34 Page(s) of Specification  
3 Page(s) of Claims  
1 Page(s) of Abstract  
0 Sheets of Formal Drawings (No Figures)



**B. Other Papers Enclosed**

- ☒ A Patent Application Bibliographic Data Sheet  
☒ A copy of the Declaration and Power of Attorney from the prior application  
☐ A Preliminary Amendment  
☒ Information Disclosure Statement  
☒ Form PTO-1449

**3. The correspondence address for this application is:** Customer No.: 025191

Telephone: (315) 233-8300  
 Facsimile: (315) 233-8320

Electronic Mail: vananl@macklaw.com

**4. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)**

☐ Applicants hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

☐ Applicants hereby request that the attached application **not be** published under 35 U.S.C. 122(b).

**5. ☒ Amend the specification by inserting, after the title and before the first line, the paragraph:**

--CROSS REFERENCE TO RELATED APPLICATION

This application is a division of U.S. Application Serial No. 09/348,530, filed July 7, 1999, now allowed, the entirety of which is incorporated herein by reference.--

**6. Relate Back****A. 35 U.S.C. 119(e)**

☐ Priority of provisional application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, is hereby claimed under 35 U.S.C. §119(e).

**B. 35 U.S.C. 120, 121 and 365(c)**

☒ Priority of said prior application 09/348,530, filed July 7, 1999, is hereby claimed under 35 U.S.C. §120.

**C. 35 U.S.C. 119 Priority Claim for Prior Application**

☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

<u>Country</u>	<u>Application Number</u>	<u>Filing Date</u>
Japan	10-197,853	July 13, 1998
Japan	10-331,449	November 20, 1998

☒ Certified copies of the above corresponding foreign applications were filed in prior application Serial No. 09/348,530 on July 7, 1999.

**7. Declaration or Oath (including Power of Attorney)**

The power of attorney in the prior application is to Stephen P. Burr, Reg. No. 32,970:

☐ The power appears in the New Power of Attorney form filed herewith.

☒ A copy of the power in the prior application is enclosed.

☐ Power filed in the previous case - no new power is necessary.

**8. Assignment**

The prior application is assigned of record to NGK Insulators, Ltd. at Reel 010101,  
Frame(s) 0816-0818 (recorded July 7, 1999).

**9. The filing fee has been calculated as shown below:**

<b>Basic Filing fee</b> (37 CFR §1.16(a))				<b>\$ 740.00</b>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	10 - 20 =	0	× \$ 18.00	
Independent Claims	4 - 3 =	1	× \$ 84.00	\$ 84.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 824.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				
<b>TOTAL FEES DUE =</b>				<b>\$ 824.00</b>

**10. Payment of Fees and Authorization to Charge Additional Fees or Credit Overpayment**

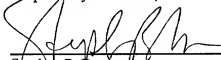
☒ A check in the amount of \$824.00 is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.

☒ Any additional filing fees required under 37 CFR 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



February 8, 2002

Date

Stephen P. Burr  
Reg. No. 32,970

SPB/eav

BURR & BROWN  
P.O. Box 7068  
Syracuse, NY 13261-7068

Customer No.: 025191  
Telephone: (315) 233-8300  
Facsimile: (315) 233-8320